

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MAJEED et al

Serial No.: 09/005,594

Filed: January 12, 1998

For: USE OF PIPERINE AS A BIOAVAILABILITY ENHANCER



Group Art Unit: 1615

Examiner: Azpuru, C.

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TERMINAL DISCLAIMER UNDER 37 CFR §1.321(b)

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

Petitioner, Sabinsa Corporation, having its place of business at Piscataway, New Jersey, in the country of the United States of America, represents that it is the assignee of U. S. Patent Application Serial No. 09/005,594, filed January 12, 1998, a division of U.S. Patent Application Serial No. 08/550,496, filed October 30, 1995, the assignment for the parent application being recorded in the Patent and Trademark Office on January 22, 1996, at Reel 7882, Frame 0367.

Petitioner hereby disclaims, except as provided below, the terminal part, if any, of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of United States Patent No. 5,744,161 and owned by petitioner by assignment recorded in the Patent and Trademark Office on January 22, 1996 at Reel 7882, Frame 0367. Petitioner hereby agrees that any patent so

granted on the instant application shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to United States Patent No. 5,744,161. This agreement runs with any patent granted on the instant application and is binding on its grantee, its successors, or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term of United States Patent No. 5,744,161, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submission on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant application or any patent issued thereon.

Respectfully submitted,

By: V. Badmnev n d n d
Signature

VLADIMIR BADMNEV n d n d
Typed or printed name

Title: VP MEDICAL & SCIENTIFIC AFF.

Date: March 31 1999

XX Terminal disclaimer fee under 37 CFR 1.20(d) included.